Printed

App. F. IX-4

Previous References

193
(1933)

File No. 921 33

Serial Nos. 1-4

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for October 34

SUBJECT.

Appeal re ... workshop of ... Temple at Yeloor ... Chamarajpatna Hobli

... Bangalore ... Appeal

... 10-34

WD 01965—GPB—15,000—7-7-34

Appeal

No. 17 of 33-34.

1614 Mens Appl re: the arrakship of Sri Anja Swamiteerthe at Iglur - Virupaksha Patra Hobli Channapatna Taluk

General and Revenue Secretariat

File No. 221 of 1933-34.

[App. F III—2

Serial No.	
1	Petition dt 16-3-34 from Aresali Nanjunj alias Narasimhaiya residing at Soguluru, Virupaksha Patra Hobli Channapatna Taluk appealing against the order of the Mysore Commissioner — and praying that the connected records may be perused and the Mysore Commissioner's order set aside, vacating the appeal forfeiture imposed. The appeal is in time & the petn is sufficiently stamped. In view of the remarks, records called for. [In this the lower Court the petitioner's petition has been rejected. 27/3 The records may be called for. 27/3/34 29/3 31/3 2-4-34
2	Petition dated 6-4-34 [illegible] 4/4/34

OFFICE OF THE SECOND MEMBER OF COUNCIL. 31 MAR 1934

NOTE—Contn Sheet

(WD 0434—GPB—15,000—12-10-33

Musz Appl no 17 of 1935-36.

Musz File No of 193 , | General and Revenue Secretariat

Serial No.

Letter no 1298 of 21.6.34 from the Muzrai Commissioner forwarding records relating to the claim of Narasingaiya to Pujari office of Sri Anjaneyaswami temple at Iglur Channapatna Tk

Hind offce is invited to the Decision of 30/ief 30 of the S.D.O. Closed (Mr Navaneetham Naidu as S.D.O.). The present incumbent of the temple is one Annaiyagabba & he was born in the year 28 yrs, & is having no complaint else about his way of working in the Prior to this, the office to have been held by one Thimmamma's husband & after his the widow is found to have appointed Appanna Archak. The present Appellant is related to the as nephew to be of the same caste

The above said Thimmamma & is not found to bear any relationship to her. The S.D.O has adjudged that the appellant is not entitled to Pujari office as he has failed to establish his claim &

3) When he went in appl before the A.C., the case was remanded to the S.D.O for taking further evidence and disposing of the case leaving the aggrieved party to go up in appeal.

Serial No.	
30	31

WD 0434—GPB—15,000—12-10-38

File No. of 193

General and Revenue Secretariat

Serial No.

Kind reps is invited to what the Hd Secy has noted on the petn when he sent it. The applicant seems to be very particular to be heard. If approved this case will be posted along with others to a date after the 4th Aug 34 to be kindly fixed as there are always 10 cases fixed for 4. & 34.

14/7/34

I Member)

11 4 Q

on 17th Inst August

17/7

8/9/7

11) Case called and adjourned at the request of the applicant—

17/8

Requested postponement to 29/9

12) Case was called on Saturday the 25th Sept 34. Mr C. Narayana Iyengar advocate for the applicant was present and heard. The respondent was present in person & heard

29/9

2491

29/9

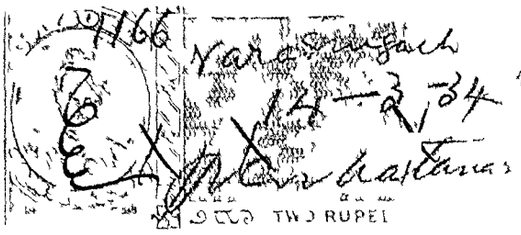
Order

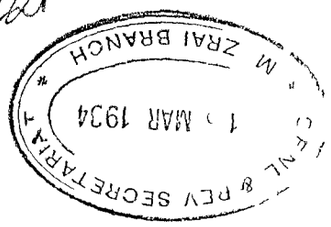
13) I decline to interfere with the concurrent orders of the DC & the Rent & dismiss the appeal

29/9

Serial No.	
	1(c) Disp. Noted C.S. 3/10 MW 1(c) Disp. 3/10
4	Memo No 5-23 dy 5-10-34 from C. Narayana Reddy Advocate for the appellant forwarding copy of the decision in the appeal Case.
	No 5-24 dy 5-10-34 from Annaiyappa the respondent in the Case forwarding copy of the order passed in the appeal Case -
	No 5-25 dy 5/10/34 to the Inspector General forwarding copy of the decision in the appeal Case -

NOTE—Contn. Sheet.





BEFORE THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE. (MUZRAI BRANCH).

Muzrai appeal No. of 33 - 34.

APPELLANT:--		RESPONDENT:--
Narasimgiah, son of Narasiah, residing at Sogalur, Virupakshapur Hobli, Channapatna Taluk.	VS.	1. Annaivyappa, son of Shanbhogue Venkatanarnappa, residing at Igloor, Virupakshapur Hobli, Channapatna Taluk.

UNDER SECTION 38 (2) of the MYSORE RELIGIOUS AND CHARITABLE INSTITUTIONS REGULATION OF 1927.

The appellant abovenamed begs to prefer this appeal against the order of the Muzrai Commissioner dated 12/12/33 in appeal case No. 14 of 33-34 confirming the Deputy Commissioner's order in Muzrai appeal No. 2/31-32 holding that the appellant is not entitled to the Poojari office of Sri Anjaneya Swamy temple at Igloor in Virupakshapur hobli, in Chennapatna Taluk. Copy of the order appealed against is herein enclosed.

The appellant came to know of the Muzrai Commissioner's order dated 12/12/33 through the Revenue Inspector of his Hobli on 22/12/33 and the

the appeal is within time.

FACTS OF THE CASE.

The appellant is the heriditary archik of the temple of Sri Anjaneya Swamy at Iglor in Chennapatna Taluk, which is a Muzrai institution as ~~if~~ the archikship was successively held by - three generations from Singiah down to Thimmamma as per geneological tree herein enclosed. After the death of Chickasingiah, his widow Thimmamma (4) held the office. At the time of Thimmarma's death Narasingiah, the appellant's elder brother was a minor and the appellant No. 6 had not been born.

After Thimmarma's death, Sanjeevaiah continued in office for sometime till he was removed by the Respondent's father who was the Shanbhogue of the village and who thereupon usurped the office. After the death of the Respondent's father, the respondent is doing the worship. The appellant applied for the office on attaining Majority and the Amildar directed on enquiry that the appellant should be appointed to the office. On appeal, the Closepet Sub Division - officer reversed the Amildar's order and directed that the Respondent might continue. On further appeal to the Deputy Commissioner, by the appellant, the case was remanded to the Sub Division Officer in Muz. Appeal No. 9 of 29 - 30 dated 31/1/31 by the Deputy Commissioner on the points (1)

Whether

(1) Whether the appellant was a minor at the time when Thimmamma, the last baravardar died (2) Whether the fact that the appellant was a relative of her was true (3) whether it is a fact that the appellant set up the claim soon after he reached the age of discretion. The Sub - Division Officer after enquiry decided all the three issues in the appellant's favour and - directed that the appellant should succeed to the office. On appeal to the Deputy Commissioner by the respondent, the Deputy Commissioner reversed the Sub Division Officer's order and directed that the Respondent might continue in office. On appeal to the Muzrai Commissioner by the appellant, the order of the Deputy - Commissioner was confirmed. Hence this appeal.

GROUNDS OF APPEAL.

1. The learned Muzrai Commissioner has erred in rejecting the appellant's appeal - summarily without considering the merits of the case and without even hearing the appellant.

2. The Learned Deputy Commissioner has failed to appreciate the evidence on record.

3. He has erred in holding that the evidence regarding the age of the appellant is vague. The evidence is definite and conclusive.

4. When the three points on which the case was remanded to the Sub Division Officer for enquiry were decided on thorough enquiry in favour of the appellant, the Deputy Commissioner had to act upon the findings of the Sub Division officer.

5. The Learned Deputy Commissioner has erred in holding that the appellant might establish his right by a regular suit. As a thorough enquiry has already been made by the Sub Division Officer in the matter and decision arrived at on merits regarding the hereditary right of the appellant to the office, the Deputy Commissioner's order is not warranted by the circumstances.

6. The Deputy Commissioner has further erred in holding that the Sub Division Officer has decided more on the grounds of expediency as the aspect of expediency is only an additional reason given in the Sub Division Officer's order.

The fact that the villagers are opposed to the respondent's appointment is a valid ground for disqualifying the Respondent as per section 36 of the Mysore Religious and Charitable Institutions Regulation and the Deputy Commissioner has failed to appreciate this aspect.

7. As between the appellant and respondent, the preferrence made by the S.D.O. in favour of the appellant in view of the documentary and overwhelming oral evidence adduced by him is proper and the

Deputy Commissioner has erred to appreciate the camparision.

8. The decision of the Deputy Commissioner is illegal and against the weight of evidence and probabilities of the case.

Wherefore, the appellant prays that the benign Government may graciously pleased to peruse the records and set aside the Muzrai Commissioner's order and allow the appeal.

Bangalore City,
14 / 3 / 34.

ಅಭಿಲಾಷಿಗಳಾದ ಅಪೀಲುದಾರರಿಗಾಗಿ

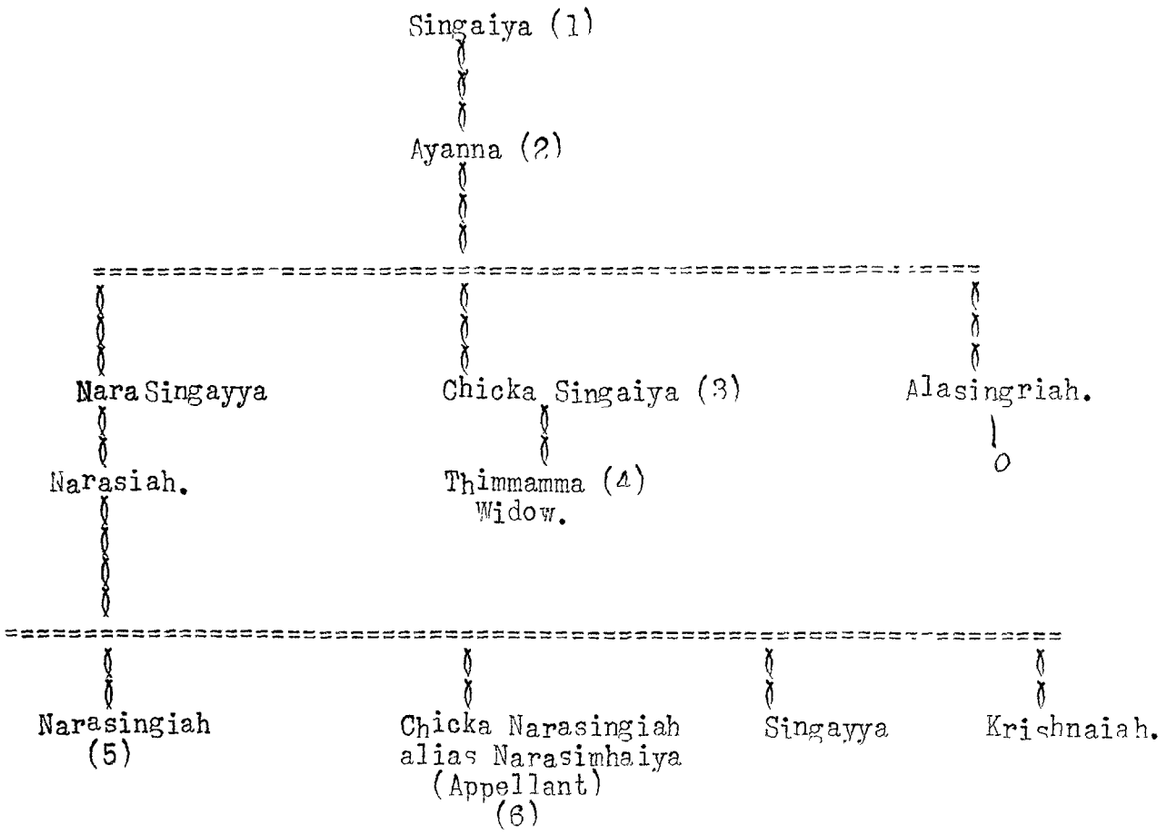
~~Advocate for~~ Appellant.

OFFICE OF THE MUZRAI COMMISSIONER
No. C 1298/33-34
5 APR 1934

1332/Mug 221-33-2 dt 4/4/34
forwarded with connected records to the Muzrai Commissioner for submission of records connected with the case.

By order
3/4/34.
for Financial Secretary

GENEOLIGICAL TREE.



No. Appl
14/33-34

Office of the Mysore Commissioner in Mysore

Dated Bangalore 12-12-1933

Endorsement granted to Narasingiah son of Narasayya resident of ~~Sosaga~~ Sogala Kh, Channapatna Taluk through Honorary Shamanna Esq BA, BL., Advocate Bangalore City in reply to his petition Registered No. Appl: 14/33-34 dated 22-11-33 } Registered No. as per margin

Subject:-

Appeal against the order of Deputy Commissioner Bangalore District rejecting the appellant's claim to the Archakaship of Sri Anjaneya temple in Iglur Village.

The petitioner is informed that his appeal is rejected as the Deputy Commissioner's order calls for no interference.

Sd/ N. Madhava Rao
Mysore Commr.

Copy applied for by Narasingiah on 14-2-34
Copy ready on 14-2-34
" delivered on 14-2-34
No. of words 70
Copying fees 0-2-0
Comparing do 0-6-6
0-2-6
Copied by S Jayaramaiah
Compared by N Gopinath.

Copy
Abdul Rahman
Manager
Mysore Office

Office of the Muzrai Commissioner in Mysore.

No. Hl 14/33-4 *Dated, Bangalore,* 12-1-193

Endorsement *granted to* ...Narasinglah,...C/o..Narasayya,...resident...of...Sa...,
Channapatna Taluk, Ramanagar Circle,
Shamanna, Esq., B.A., B.L., Advocate,
Bangalore City.

Petition Register No. App.14/33-34...

Dated ...22-11-33...

Subject —

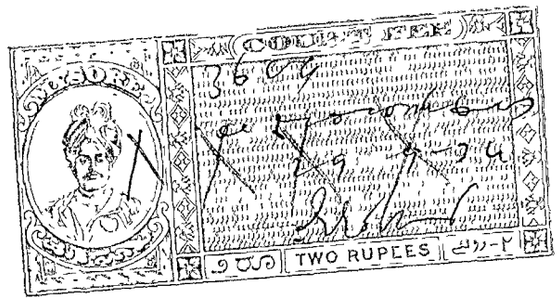
Appeal against the order of the Deputy Commissioner, Bangalore District, rejecting the appellant's claim to the pujarishipof Sri Anjaneya temple in Iglur village.

in reply to his Petition Register No. as per margin.

The Petitioner is informed that ..his..appeal..is..rejected..as..the..Deputy..Commissioner's..order..calls..for..no..interference.

G Rudrappa
for Muzrai Commissioner.

WD 01147—GPB—200—12-1-31



29.9.34.

Before The Governor ಕೋರ್ಟಿನಲ್ಲಿ.
His Highness The Maharaja
of Mysore Bangalore

193 — ನೇ ನಂಬರು.

Abuzar Appl No 17 — of
33-34

Appellant ಅಪೀಲುದಾರರು,
Narasingay
-ya

ಪ್ರತಿವಾದಿ ಯಾ ಅಪ್ಪೋನೆಂಟ್
Respondant
Annayappa

VS.

ಮಾ॥ ರಾ॥ C. Narayan Aiengar
Advocate

Appellant
Narasingayya

ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ವತವಾಗಿ ಅಪೈರುವರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸುವದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು ಸಹ ಪಡಿಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ತಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ದನಾಗಿ ಇದ್ದೇನೆ.

Bangalore city
ತಾರೀಖು 29/Sept/34

ರುಜು
Accepted
C. Narayan Aiengar

ಈ ಮೊಖ್ತಾರುನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಯ ಖುಸ್ತರಾಗಿ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.
C. Narayan Aiengar

ಈ ಮೊಕ್ತಾರುನಾಮೆ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.
C. Narayan Aiengar

ಶ್ರೀ ವಿಜಯ ಲಕ್ಷ್ಮೀವಿಲಾಸ ಪ್ರೆಸ್, ಹಲಸೂರು ಪೇಟೆ, ಬೆಂಗಳೂರು ಸಿಟಿ.

Mus

No. 1298 / 33-34 Encl 3 files

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, ...193

REV. SECRETARIAT
1369
26. JUN. 1934
MUZRAL BRANCH

F
22 JUN

FROM

N. MADHAVA RAU, ESQ., B.A., L.L.B.,
Muzrai Commissioner in Mysore,
Bangalore

To

[illegible]

G. Rudrappa
In Absent from Hd quarters

BEFORE THE HONOURABLE THE CHIEF SECRETARY
TO THE GOVERNMENT

Kuzrai Appeal No.17 of 1933-34

Appellant	Respondent
Narasingaiya of Bo_ dur, Channapatna Taluk.	Amaliyya, ex-Patel of [illegible], Kasaba Hobli, [illegible] Taluk.

S U B J E C T.

Appeal against the orders of the Deputy Commissioner rejecting the petition of the petitioner-landholder, the Agraharadar of Sri Anjaneyaswami Temple in [illegible] Village, Channapatna Taluk.

The case was called on Saturday the [illegible] and the appellant with his counsel [illegible] were present and was heard. The respondent [illegible] was heard.

Decision:

Government decline to interfere with the order passed by the Deputy Commissioner, Bangalore District and dismiss the appeal.

S 23/Misc 221-33-4 & S-10-34
Copy to Sri C. Narayana Iyengar Advocate for the appellant.
B.O
Sd. R Ranga Rao.
for Chief Secretary

S 24 & S-10-34
Copy to Amaiah, the respondent residing at Jaffna Channapatna Tk.
B.O.
Sd. R. Ranga Rao.
Chief Secretary to Govt.

S-25-A S-10-34
Copy to M.C. Channapatna
letter no 1298/33-34 Dt. 21-6-34 B.O

Before the Court of H. H. the Maharaja

of Mysore.

Mys - Appl No 1933-34.

Appellant. Respondent

Narasinga Raja of Sogalam - Channapatna Tk. Ananda residing at Jaggur Channapatna Tk.

Subject.

Appeal against the order of the D.C. rejecting the petn of the appellant claiming the Sujai Sista of Sri Anjaneya temple in Jaggur Village Channapatna Tk.

The case was called on Saturday the 29th Sept 34. The appellant with his counsel Mr. C. Narayana Iyengar - was present and The respondent absent was heard

order

Court declines to interfere with the concurrent orders of the D.C. Bangalore and the Asst C. in the matter. The appeal is dismissed

523 / Mys 221-33-4 15-10-34

Copy to Mr. C. Narayana Iyengar

GS

for im Allgemeinen 1/9

5-24 § 5-10-34 Bs 1/3/10

Für Ca S

Colog to mrs Anmerkungsschrift [illegible] 12 1/8/10

Chamberlain 12

Bs 1/3/10

Für Cl: Ice

5-25- Lic 3 f.lbs. § 5=10-34

Ch 1 schreiben need to receive letter

hinsichtlich no 1298/32-348 6.34

Bs d 1/3/10

Fortnum Ice

Ls 3/10